

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN BROSNAN,

Plaintiff,

No. C 07-04337 WHA

v.

DON OBERLE, TIMOTHY JON CARRE,
JAMES G. SCHWARTZ, JOSHUA D.
BRYSK, INNOVATIVE MORTGAGE
SOLUTIONS, MERIDIAN CAPITAL,
INC., and DOES 1–100,

Defendants.


**ORDER VACATING
DISMISSAL AND SETTING
EVIDENTIARY HEARING**

The dismissal order dated May 1, 2008, is **VACATED**, subject to reinstatement after the Court determines why plaintiff John Brosnan did not appear for the case management conference. Mr. Brosnan's response dated May 19 stated: "The reason I did not appear is that I received a letter from Joshua Brysk notifying me that the May 1, 2008, court date had been continued." The supposed letter was attached. However, in his response, Mr. Brysk replies that he sent no such letter and implies that the letter is not authentic. To get to the bottom of it, an evidentiary hearing shall be held on **JUNE 19, 2008, AT 3:00 P.M.** in Courtroom No. 9, 19th Floor, at 450 Golden Gate Avenue, San Francisco. All parties are **ORDERED TO APPEAR**. As to any defendant who has not yet made an appearance as of the date of this order, including Mr. Brysk, plaintiff is hereby **ORDERED** to immediately serve such defendant(s) with a copy of

1 this order (and the summons and complaint as appropriate). Mr. Brysk is requested to attend
2 even if he is not so served and the Clerk shall notify Mr. Brysk promptly.

3
4 **IT IS SO ORDERED.**

5
6 Dated: May 28, 2008.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE